

SENATE BILL REPORT

SB 6882

As Reported By Senate Committee On:
Natural Resources, Ocean & Recreation, February 07, 2008

Title: An act relating to developing a flood mitigation plan for the upper Chehalis subbasin.

Brief Description: Developing a flood mitigation plan for the upper Chehalis subbasin.

Sponsors: Senators Swecker and Rasmussen.

Brief History:

Committee Activity: Natural Resources, Ocean & Recreation: 2/4/08, 2/7/08 [DPS-WM].

SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

Majority Report: That Substitute Senate Bill No. 6882 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Jacobsen, Chair; Hatfield, Vice Chair; Morton, Ranking Minority Member; Fraser, Hargrove, Rockefeller, Spanel, Stevens and Swecker.

Staff: Curt Gavigan (786-7437)

Background: In December 2007 the Governor declared a state of emergency as a result of a storm system that produced heavy rains, flooding, landslides, and high winds. Likewise, the President of the United States declared the event a major disaster.

According to planning documents from Lewis County, the Chehalis basin is the second largest in the state, draining about 2,500 square miles. The Chehalis basin area was heavily impacted by the storm. Assessments of flood impacts are ongoing. As of January 30, 2008, assistance to individuals and small businesses through the Federal Emergency Management Agency and United States Small Business Administration totaled \$34 million, including over \$10 million to individuals and households in Lewis county.

The Chehalis Basin Partnership serves as the planning unit for watershed planning in Water Resource Inventory Areas (WRIA) 22 and 23, which covers the upper and lower Chehalis basin.

Current law requires local governments to have an approved comprehensive flood control management plan in place in order to receive state funding for flood control maintenance projects. Current law also includes multiple mechanisms by which counties and special purpose districts may generate funding for, plan, and carry out flood control projects and activities. These mechanisms include counties conducting flood control activities alone or in

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conjunction with another county, as well as the creation of flood control districts or flood control zone districts.

Summary of Bill (Recommended Substitute): The Chehalis Basin Partnership may conduct preliminary work for and initiate development of a comprehensive flood control management plan for the Chehalis basin. If the Chehalis Basin Partnership exercises this authority, it must seek to maintain its current membership balance, work collaboratively to avoid and minimize future flood impacts, and keep other recent and ongoing flood damage and mitigation efforts in consideration. The Chehalis Basin Partnership must provide a summary of its actions and any recommendations to the Legislature in December 2008 and 2009.

If Grays Harbor, Lewis, and Thurston counties form a joint flood control district or equivalent flood control authority by December 31, 2008, the comprehensive flood control management planning authorities and responsibilities transfer from the Chehalis Basin Partnership to the flood control district or equivalent authority.

The Department of Ecology must provide technical and funding assistance for the comprehensive flood control management planning efforts authorized.

EFFECT OF CHANGES MADE BY NATURAL RESOURCES, OCEAN & RECREATION COMMITTEE (Recommended Substitute): The substitute removes all substantive provisions of the original bill. The original bill created the upper Chehalis subbasin flood mitigation planning work group (work group) within the Conservation Commission. The work group was to work collaboratively to develop a flood mitigation plan for the upper Chehalis subbasin in order to avoid and minimize impacts from future flood events. The work group was to discuss and develop recommendations for the Legislature, work group participants, and other public and private entities and landowners. Reports to the Legislature were due in 2008 and 2009.

Appropriation: None.

Fiscal Note: Requested on January 31, 2008.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: The Conservation Commission is willing to take this project on, and has a track record of successful leadership on difficult issues. Language to have the work group evaluate existing flood control mechanisms would be valuable. The Department of Natural Resources also supports the bill, and hopes to assist with geological information. It is important to look at all of the Chehalis watershed.

CON: Southwest Washington counties are banding together after the flood to support a Chehalis basin-wide flood control district. Although the communities support the need to evaluate options for future flood mitigation, immediate steps must be taken and those steps must be basin-wide.

OTHER: People have caused many changes to the Chehalis basin over time. Although this concept is valuable, steps are needed immediately. There is existing authority in statute to

create a flood control district. There are also existing flood planning mechanisms, which could be bring state and federal funding.

Persons Testifying: PRO: Ron Schultz, Conservation Commission; Michael Grayum, Department of Natural Resources; Jim Walton, Centralia College.

CON: Susan Rosbach, Lewis County Flood Control Committee.

OTHER: Tim Browning, City of Centralia; Gordon White, Department of Ecology.